

## UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Dorian Michael Morgan

Date of Original Judgment: 04/07/2023

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

Case No: 5:22-cr-29-KDB-DCK-1USM No: 02571-510

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 102 months **is reduced to** 94 months.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 04/07/2023 shall remain in effect.**IT IS SO ORDERED.**

Signed: May 3, 2024



Kenneth D. Bell  
United States District Judge

Judge's signature

Effective Date: \_\_\_\_\_

(if different from order date)

Kenneth D. Bell

Printed name and title

**This page contains information that should not be filed in court unless under seal.**  
**(Not for Public Disclosure)**

DEFENDANT: Dorian Michael MorganCASE NUMBER: 5:22-cr-29-KDB-DCK-1DISTRICT: Western District of North Carolina**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**Previous Total Offense Level: 23Amended Total Offense Level: 23Criminal History Category: VICriminal History Category: VPrevious Guideline Range: 92 to 115 monthsAmended Guideline Range: 84 to 105 months**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.

**III. FACTORS CONSIDERED UNDER USSG § 1B1.10 AND 18 U.S.C. § 3553(a) (*See Chavez-Meza v. United States, 138 S.Ct. 1959 (2018)*)**

Defendant had “status points” under U.S.S.G. §4A1.1 in Amendment 821. Defendant had 11 criminal history points before the addition of 2 points. (Doc. No. 24, ¶¶ 62-63). With the removal of 1 status point (because he had 7 criminal history points or more), criminal history points of 12 equals a criminal history category of V. With an Offense Level of 23 and a criminal history category of V, the amended guideline range would be 84 to 105 months.